

FIND MRS. HITCHCOCK INSANE

AT TIME SHE KILLED HUSBAND AND NOW, SAY DOCTORS.

May Be a Dispute About Sending Her to Matteawan—A New Procedure in Cases Where Defendant Pleads Insanity—Might Have Been Used in Thaw Case.

The commission in lunacy appointed by Judge Foster of General Sessions to inquire into the sanity of Mrs. Charlotte Hitchcock, charged with having killed her husband, Robert L. Hitchcock, on November 20 last, reported to Judge Foster in his chambers yesterday its decision that Mrs. Hitchcock was insane at the time of the commission of the crime and that she is insane now. No action will be taken on the commission's report until Judge Foster takes the bench again on the first Monday of October, when it is expected that he will affirm the commission's findings.

The report of the commission establishes a precedent in New York State legal procedure, so the lawyers representing the defense said yesterday, in that it was made under a part of Section 88 of the Criminal Code which had never been invoked before. The wording of this section of the code empowers a Judge to appoint a commission in lunacy in the event of a plea of insanity being entered in defense of a murder charge to examine the defendant and report to the Court as to his sanity at the time of the commission of the crime. Judge Foster's action in the case of Charlotte Hitchcock was the first use made of this provision.

The commission, which was appointed upon application of Assistant District Attorney Arthur Train, with the concurrence of Alfred C. DeLoach, Judge Goldfogle, counsel for the defendant, comprised Dr. Carlos Macdonald, Dr. Allan McLean Hamilton and Dr. Henry Robertson. The doctor for the defendant, Dr. Carlos Macdonald, after a long and arduous examination by Judge Foster so that its deliberations should be directed also to an investigation of the defendant's present sanity, the defendant's commission sat as a court, the sessions being open.

The examination of the defendant herself was made by the commission, the commission containing itself with an examination of witnesses who could testify to the actions of Mrs. Hitchcock prior to and immediately following the shooting of her husband. Mrs. Hitchcock, with a view to determining her sanity at the time of the commission's sitting. This action was taken against the protest of the woman's counsel, who requested that the latter be examined by medical advisers at the private hearing was not allowed.

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PUSHCART KING IN THE TOILS.

Charged With Dealing in Bogus Licenses at Wholesale.

Sigmund Schwartz, president of the Pushcart Peddlers Association, was arrested yesterday, and the entire lower East Side was agog over it. According to Detectives Fitzsimmons and Flood of the District Attorney's office Sigmund has been dealing in licenses, which he sells to prospective peddlers at low prices, and a month ago sold one to Louis Alters for \$14.

Investigation resulted in an inquiry at the Bureau of Licenses and it developed, according to the police, that Sigmund for a long time has been procuring licenses for peddlers from the Bureau and selling them for all he could get. All the licenses, it was alleged, were bogus, and so was the one sold to Alters, which was made out in the name of Samuel Markson.

While Sigmund was arrested on the specific complaint of Alters, who is a pedlar living at 140 Ludlow street, it was said that Assistant District Attorney Boer has twenty affidavits from peddlers who have procured from him the "pushcart king" phony licenses.

Magistrate Walker in the Tombs police court fixed bail at \$500 and adjourned the case until a week from to-day. Duke Joe Levy and other East Side celebrities were on hand to go on the bond.

THE SEAGUARDS.

Sailing to-day by the American liner New York for Plymouth, Cherbourg and Southampton:

W. E. Avery, Mrs. Welding F. Dennis, Mrs. M. H. Flint, Col. T. J. Keenan, Frank P. Reavey, Mr. and Mrs. George Elwood, Major W. J. Murphy and Harry Louis Warren.

Passengers by the Red Star liner Finland, off to-day for Dover and Antwerp:

Mr. and Mrs. H. C. Matthews, the Rev. Mrs. J. B. Smith, Mr. and Mrs. George A. Sipp, John H. Weber and Mr. and Mrs. G. Clem Goodrich.

Aboard the Atlantic Transport liner Mabe, which sailed to-day for London:

Mrs. E. A. Woodward, the Rev. J. A. Harrison, Dr. Hubert Evans, Mr. and Mrs. Arthur H. Clark and Severn R. Almut.

Sailing by the Anchor liner California, for Glasgow:

Langhorne Reid, Mr. and Mrs. W. C. Hawkins, Cecil E. Marvon, the Rev. A. Doubleday, J. D. B. Dwyer and Alice Yates.

By the Anchor liner California, for Glasgow:

Mr. and Mrs. Harry Byrne, Byron L. Tice, Mrs. Alphonse Rousseau, William Cuthbertson, Mr. and Mrs. William C. Todd and James V. Alexander.

Passengers by the Hamburg-American liner Pennsylvania, for Hamburg:

Mrs. E. J. Johnson and Miss Faith Rogers.

Miss Maloney's Legal Affairs.

CONFERENCES ON PLAYGROUNDS

Older Folks Talking About What Should Be Done for the Small Ones.

Joseph Lee of Boston, who has done much work in the line of public recreation for children, was a speaker at the congress of the Playground Association of America at the American Museum of Natural History last night. He told of playgrounds that could be built with little or no expense in the small yards of tenement houses.

"Of course, do not think that any home playground is enough," he said; "there must be a variety of scene. There must be nature, real grass to rub your nose in."

Prof. C. W. Hetherington of the University of Missouri gave an account of the university extension in physical education. He said it was one of the newer expressions of university educational influence. Prof. Hetherington believes that there should be organized play and gymnastics under competent directors in every city district, in every town and village and in every rural school district. Dr. William E. Maxwell, superintendent of the public schools of New York city, commended the work of the playground associations and read a paper about those lines.

Acting Mayor McGowan presided at the conference of city officials at the congress yesterday morning. He described the amount of good recreation in the city of New York. He said that the growth of the playground movement had been the daily Philadelphia playground average, and the expense had been kept down so that each child had cost but a fraction more than two and a half cents to entertain.

A. W. Stecher, director of physical training in the public schools of Philadelphia, said \$20,000 had been raised in that city for the work by "tag day" efforts and that the children had displayed great honesty in turning in the money. He said that the Philadelphia playground movement was the only one in the country that had kept down so that each child had cost but a fraction more than two and a half cents to entertain.

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"For \$237,000, about the amount that was spent by the South Park Commission for two park houses," he continued, "we established in Philadelphia 120 playgrounds. The question is not how much can the work be done, but how much can be done."

There was an exhibition of athletics, folk dancing and military drilling by selected brigades of public school children of New York city yesterday afternoon in Manhattan Park in the rear of the museum. Inspector Walsh came with police reserves, but the thousands of onlookers, for the most part children, were so orderly that half the policemen were sent home. A feature of the exhibition was the military drill of uniformed boys with their own drum corps from the Newark, N. J., playgrounds.

The meetings of the playground association in connection with the selection of officers this morning and a rally this afternoon in Van Cortlandt Park, where a festival of folk and national dances will be given, will be the last of the series. The annual meeting of the association will be held at the Twenty-second Regiment Armory, Broadway and Sixty-eighth street.

FOUND DEAD IN A PARK.

Jules Clement Had Written That He Was Too Old to Find Work.

Jules Clement, 64 years old, an engraver of 126 West Twenty-ninth street, was found dead in a clump of bushes about 300 feet south of the Lorillard mansion in Bronx Park yesterday afternoon. The police say that there are evidences that the man took poison. Jules Clement, Jr., a son, who identified the body, said his father had left him a letter the day after the death, in a despondent mood and told him that he might never return. An autopsy will be made to-day.

Mrs. Jewell, who keeps a furnished room house at 131 West Twenty-ninth street, said that Clement had lived there for five years. He had a fall two years ago and broke his legs. Mrs. Jewell said that Clement was an artist who painted small pictures, had been working of late in a dentist's office in Fourteenth street. She said that she received a letter from Clement, postmarked the day before the death, in which he stated that he was too old to get work and that he went to the park to kill himself rather than do it in her house. He said that he would be unable to pay his board bill.

HELD AS RUSTIN'S SLAYER.

Charles E. Davis Formally Arraigned for Omaha Crime.

OMAHA, Neb., Sept. 11.—Charles E. Davis, who has been under bail as a suspicious character since the shooting of Dr. Frederick T. Rustin, was brought into the police court to-day by his brothers for examination. As soon as he entered he was arrested on a warrant charging him with murder in the first degree.

After the reading of the complaint and the answer of "Not guilty," an application was made for bail. County Attorney English advised that a charge of murder in the first degree is bailable in cases where the evidence is not conclusive and recommended a \$10,000 bond to insure Davis's attendance in court when wanted, he named.

"Make it as large as you please. We will give it," said at Latham day. The bail was fixed at \$7,000, which was immediately furnished by the Davis brothers. The hearing was set for September 24, and Davis was released.

HAD NO BROTHERS' PORTRAITS

But the President Had Declined This Man's Proffered Gift.

H. Victor Reidenhardy, who, according to a card found on his person, was formerly a portrait painter with a studio in the Corcoran Building in Washington, was found dead in a furnished room house at 200 East Twentieth street last night. Dr. Schmidt said that his death was due to apoplexy. Reidenhardy was found lying on the floor, with his head against the wall, and his hands clasped in prayer. He was 60 years old and had been at the rooming house for about six months.

Reidenhardy's body was taken to the morgue at 200 East Twentieth street, where photographs of President Roosevelt, Mayor McClellan, Odell and Hearst were found in his pockets. A letter from William E. Losh, Jr., secretary to the President, was also found, which acknowledged the receipt of a portrait but declined acceptance as the president accepted gifts from the artist and Reidenhardy was not a member of the association.

Reidenhardy was of Austrian birth. Since being in New York he had worked at retouching for a Sixth avenue photographer.

RESPITE FOR TENT DWELLERS.

Board of Health Can't Dispose of Coney Island Colony.

Lawyer Robert H. Roy yesterday made application to Justice Agnew in the Supreme Court in Brooklyn for an injunction restraining the Board of Health from interfering with the tent dwellers at Coney Island. A number of persons had formed a tent colony at the island, and the reason was drawing to a close many of them had folded their tents and gone. Now the Board of Health comes in with a command that the persons remaining should comply with certain sanitary arrangements under penalty of dispossession.

Justice Agnew adjourned the hearing until Tuesday, and meanwhile the tent dwellers are not to be interfered with.

W. L. DOUGLAS

THE BEST \$3.50 SHOES FOR MEN

W. L. DOUGLAS MAKES AND SELLS MORE MEN'S \$3.50 SHOES THAN ANY OTHER MANUFACTURER IN THE WORLD.

The reason W. L. Douglas \$3.50 shoes are worn by more men in all walks of life than any other make is because I give the wearer the benefit of the most complete organization of skilled shoemakers in this country, who receive the highest wages paid in the shoe industry and whose workmanship cannot be excelled.

The selection of the leathers and other materials for each part of the shoe and every detail of the making is looked after by specially trained experts in every department.

If I could take you into my large factories at Brockton, Mass., and show you how carefully W. L. Douglas \$3.50 shoes are made, you would then understand why they hold their shape, fit better, wear longer, and are of greater value than any other make.

(Signed) W. L. Douglas

W. L. DOUGLAS \$4.00 GILT EDGE SHOES Cannot Be Equalled at Any Price.

W. L. DOUGLAS BOYS' SHOES \$1.75 AND \$2.00. JUST THE SAME AS MY MEN'S \$3.50 SHOES, THE SAME LEATHERS, FOR \$1.75 AND \$2.00.

W. L. DOUGLAS SHOE STORES IN GREATER NEW YORK:

- 433 Broadway, cor. Howard.
- 755 Broadway, cor. 8th St.
- 853 Broadway, cor. 14th St.
- 1349 Broadway, cor. 36th St.
- 1447-1449 Broadway.
- 2202 Third Ave., cor. 120th.
- 984 Third Ave., near 59th St.
- 2779 Third Avenue.
- 250 West 125th Street.
- 345 Eighth Avenue.
- 95 Nassau Street.
- 356 Sixth Ave., cor. 22d St.
- BROOKLYN, N.Y.
- 708-710 Broadway.
- 1367 Broadway, cor. Gates Av.
- 421 Fulton Street, cor. Pearl.
- 478 Fifth Avenue.
- JERSEY CITY—18 Newark Avenue.
- NEWARK—785 Broad St.
- PATERSON—192 Market St.

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The Groff School

220 West 72d St., New York.

Is ideal and exceptional as a boarding and day school for bright boys who wish to enter college early, or boys that have never been taught to study properly, and need to be treated individually.

The school ignores the use of the word "grade," it gives to each boy individual attention, develops his original bent, gives him just what he needs, not what some other boy needs.

Separate department for boys 9-14 years of age, instructed by a competent man or woman, for the main school; no young and inexperienced teachers. Evening study at the school.

Full and free use of ice skating rink for hockey, gymnasium (best in New York), swimming pool, tennis courts, and all kinds of wholesome sports, under the supervision and directed by expert coaches. Reopens September 20th.

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